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PETITION FEE Under 37 CFR 1.17(f), (g) & (h) TRANSMITTAL FEE (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/664,488
	Filing Date	September 17, 2003
	First Named Inventor	Tsutomu WATANABE
	Art Unit	2641
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	393032041000

Enclosed is a petition filed under 37 CFR _____ 1.53(e) _____ that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 03-1952 :
☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments
 Enclose a duplicative copy of this form for fee processing.
- ☐ Check in the amount of \$ _____ is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463


For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.



 Signature
 David T. Yang

 Typed or printed name

May 18, 2005

 Date
 44,415

 Registration No., if applicable

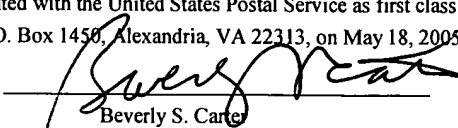
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 18, 2005

Signature: _____ (Beverly S. Carter)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on May 18, 2005.


Beverly S. Carter



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Tsutomu WATANABE, et al.

Application Serial No.: 10/664,488

Filing Date: September 17, 2003

For: ELECTRONIC DEVICE

Examiner: Not Yet Assigned

Group Art Unit: 2841

PETITION UNDER 37 C.F.R. § 1.53(e)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

This petition is in response to a Notice of Omitted Item(s) in a Nonprovisional Application that was mailed on May 12, 2005, stating that the above-referenced application was deposited without pages 1-3 of the specification (a copy of the Notice is attached hereto). Applicants hereby petition the Commissioner under 37 C.F.R. § 1.53(e) to accord a filing date of September 17, 2003 for the above-referenced application, and to accept the pages 1-3 that were originally submitted with the above-referenced application (copies of which are enclosed for your ready reference).

05/23/2005 GWORDDOF1 00000021 031952 10664488
01 FC:1462 400.00 DA

Applicants respectfully submit that pages 1-3 of the specification were originally submitted with the above-referenced application that was filed on September 17, 2003, claiming priority to Japanese Patent Application No. 2002-272348. As noted on the enclosed copy of the return postcard stamped by the Patent Office on September 17, 2003, pages 1-3 of the specification were included as part of the "30 pages of specification" noted on the return postcard. In accordance with MPEP 503, the postcard receipt was adequately itemized and should serve as *prima facie* evidence of receipt of the items submitted on September 17, 2003.

Since the person in the Patent Office receiving the items for the present application did not indicate that any documents listed on said return postcard were missing, it is, therefore, concluded that pages 1-3 were among the documents submitted at the time of filing this application. The Applicants are, therefore, entitled to the date of filing (i.e., September 17, 2003).


Applicants respectfully request that pages 1-3 of the specification be added to the file, the petition fee be waived, and that the Commissioner accord a date of filing for the above-referenced application of September 17, 2003.

The Director is hereby authorized to charge any fees that may be required by this petition, or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 3930320410. Fee Transmittal form (PTO/SB/17p) is attached to this submission in duplicate.

Respectfully submitted,

Dated: May 18, 2005

By:


David T. Yang
Registration No. 44,415

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